

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

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ANDREW DEVINE,	:	
Plaintiff,	:	
	:	
v.	:	Civil No. 5:21-cv-02679-JMG
	:	
GEICO GENERAL INSURANCE COMPANY,	:	
Defendant.	:	

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**ORDER**

**AND NOW**, this 6<sup>th</sup> day of January, 2022, upon consideration of Defendant's Motion to Dismiss (ECF No. 4), Plaintiff's Reply to the Motion to Dismiss (ECF No. 5), Defendant's Reply Brief to Plaintiff's Brief in Opposition (ECF No. 8), and Plaintiff's Sur-Reply Brief in Opposition to Defendant's Motion to Dismiss (ECF No. 11), **IT IS HEREBY ORDERED** that Defendant's Motion to Dismiss (ECF No. 4) is **GRANTED**. The Complaint (ECF No. 1) is **DISMISSED WITH PREJUDICE**. The Clerk is directed to **CLOSE** this case statistically.

BY THE COURT:

/s/ John M. Gallagher  
JOHN M. GALLAGHER  
United States District Court Judge